

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

4 ERVIN MIDDLETON,) Case No. 2:16-cv-01657-RFB-CWH
5 Plaintiff,)
6 v.)
7 CARRINGTON MORTGAGE SERVICES,) **ORDER**
8 LLC,)
9 Defendant.)

10 Presently before the Court is Plaintiff's motion to expedite fee waiver (ECF No. 39), filed on
11 May 8, 2017. Defendant has not filed a response.

12 Plaintiff requests a fee waiver, but does not specify what fee he requests be waived. The
13 Court notes that Plaintiff has not submitted an application to proceed *in forma pauperis* in this case.
14 Plaintiff represents that he was granted a fee waiver in this case while it was in state Court. That
15 may be, but federal courts are authorized to grant fee waivers only under U.S.C. 28 § 1915, which
16 requires an affidavit certifying the inability to pay fees before a Court may grant *in forma pauperis*
17 status. As such, the Court has no basis to provide a waiver of any fees, even if a request for a
18 specific fee waiver was before the Court. If Plaintiff wishes to do so, he may submit an application
19 to proceed *in forma pauperis* in this matter.

20 IT IS THEREFORE ORDERED that Plaintiff's motion to expedite fee waiver (ECF No. 39)
21 is DENIED without prejudice.

22 IT IS FURTHER ORDERED that the Clerk shall mail Plaintiff an application to proceed *in*
23 *forma pauperis* along with a copy of this order.

24 || DATED: May 9, 2017.

C.W. Hoffman, Jr.
United States Magistrate Judge